

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

SONDRA RAY, as the personal
representative of the estate of her son,
Steven Davis,

Plaintiff,

v.

RODERICK GADSON; STEVEN D.
HARRISON; CLIFFORD O'NEAL;
WILSON B. CLEMONS; and
UNIDENTIFIED CORRECTIONAL
OFFICERS 1-3,

Defendants.

CASE NO.: 2:20-cv-00499-RDP

UNOPPOSED

DEFENDANT RODERICK GADSON'S MOTION FOR LEAVE TO AMEND

Defendant Roderick Gadson ("Gadson"), through undersigned counsel, respectfully requests leave to amend his answer and in support thereof states as follows:

1. Gadson was initially represented by the Alabama Attorney General's office, who filed an answer on his behalf. (Doc. 9).

2. Since then the Alabama Attorney General's office received the ongoing criminal investigation into the death of Steven Davis after the Jefferson County District Attorney's office recused. (Doc. 25, p. 2, ¶ 2).

3. Undersigned counsel was appointed to represent Gadson (Doc. 32) and deems it appropriate to file an answer to assert the Defendant's Fifth Amendment privilege in lieu of the previous answer and in light of the criminal investigation being conducted of the subject matter involved in this civil lawsuit. (See attached Amended Answer of Defendant Roderick Gadson).

4. Undersigned counsel believes amending Gadson's answer is appropriate in light of the Court's Scheduling Order which gives defendants until April 15, 2021 to "join additional parties and amend the pleadings." (Doc. 22, p. 3, ¶ 8).

WHEREFORE, Gadson requests leave to amend his answer to assert his Fifth Amendment privilege.

Respectfully submitted,

/s/ Steven K. Herndon
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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of April 2021, I have served a copy of the foregoing on all parties by using CM/ECF or by U.S. mail:

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